IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.8426 Of 2005

Vinayak P. Thakur & Anr. ...Petitioners.

Versus

The State of Maharashtra & Ors. ...Respondents.

Shri K.S.Dewal for the Petitioners.
Shri R.S.Datar for Respondent No.5.

CORAM : S.C.DHARMADHIKARI,J.

DATE : 8th FEBRUARY, 2006.

P.C. :

. Heard the learned Counsel for the parties.

2. It appears that the dispute, between the petitioners and respondent No.5 with regard to right, title and interest in the premises from where the eating house/hotel business, was being conducted, is finally settled. Shri Dewal invites my attention to compromise terms which have been signed by the petitioners and respondent No.5 before the Lok-Adalat. By these consent terms, disputes in Regular Civil Suit No.146 of 2005 filed in the Court of Civil Judge, Senior Division, Alibag have been settled. The contesting respondent No.5 is agreeable to the petitioners conducting the said business from the premises belonging to him.

3. In the light of these developments Shri Dewal seeks leave to withdraw this Writ Petition with a liberty to appraoch the Licensing Authority afresh for grant/renewal of the licence in question.

4. Needless to observe that in the light of the developments noted above, it would be open for the Licencing Authority to consider such application on its own merits and pass appropriate orders thereon in accordance with law, uninfluenced by the communications addressed by the fifth respondent earlier. This order is passed in the presence of the petitioner No.2. Shri Datar appears for respondent No.5 and a copy of the terms have been handed over to him. In the light of the agreement recorded therein, the above mentioned liberty was sought and granted with the consent of the petitioners as well as the contesting respondent No.5.

(S.C.DHARMADHIKARI,J.)